

WOODWAY CITY COUNCIL MINUTES

August 22, 2022

The Woodway City Council met in a regular meeting in the Donald J. Baker Council Chambers at Woodway City Hall, 922 Estates Drive, Woodway, Texas, on Monday, August 22, 2022, at 5:30 p.m. The following individuals were in attendance:

Mayor:	Amine Qourzal
Mayor Pro Tem:	Absent
Councilmembers:	David Russell, Storey Cook, Gayle Avant, Janell Gilman and John W. Williams
City Manager:	Shawn Oubre
City Secretary:	Donna Barkley
City Staff:	Lenny Caballero, William Klump, Brenda Hernandez, John Norman and Bret Crook
Contract Staff:	Mike Dixon, City Attorney
Registered Guests:	Lori Whitsell, 431 Woodfall Dr., Woodway Roger McCabe, 10813 Rick Dr., Woodway Dwain Moss, 802 Forest Oaks, Woodway David and Cheryl Keyston, 400 Shadow Mountain Dr., Woodway Linda McGregor, 407 Shadow Mountain, Woodway Gary Gilman, 420 Broughton Dr., Woodway Barbara Grandy, 2024 Estates Dr., Woodway Richard Maker, Woodway Jacob and Jennifer Rucker, 319 Sharron, Woodway Michael and Teresa Flynn, 9610 Old Farm Rd., Woodway Marvin and Nancy Goebel, 14009 Horseshoe Circle, Woodway

CALL MEETING TO ORDER

Mayor Qourzal called the meeting to order at 5:30 p.m.

INVOCATION

1. INVOCATION

Councilmember Avant provided the invocation.

ITEMS RELATED TO PROPOSED 2022/2023 ANNUAL BUDGET AND PROPOSED 2022AD VALOREM TAX RATE

2. PUBLIC HEARING ON PROPOSED 2022/2023 ANNUAL BUDGET

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Before Mayor Qourzal opened the public hearing on the proposed 2022/2023 annual budget, he stated that he proposes and asks the City Manager to lower the tax rate to the No-New-Revenue tax rate if there is a consensus of the Council, with no layoffs of the staff. He would like to be able to adjust the budget to accommodate the No-New-Revenue Tax Rate.

The City Manager stated that the No-New-Revenue tax rate is 0.417174 and will raise the same amount of money in property tax revenues it did last year.

Mayor Qourzal opened the public hearing and the following citizens commented on the proposed budget:

- Dwain Moss, 802 Forest Oaks, Woodway
- Barbara Grandy, 2024 Estates Dr., Woodway
- Roger McCabe, 10183 Rick Dr., Woodway
- Linda McGregor, 407 Shadow Mountain, Woodway

With no one else present to speak in favor of or in opposition to the proposed budget, Mayor Qourzal closed the public hearing.

3. A. DISCUSSION AND CONSIDER ACTION ON ORDINANCE 22-06, ADOPTING THE 2022/2023 ANNUAL BUDGET

Mayor Qourzal called for a motion to discuss. Councilmember Russell moved to open this item for discussion and Councilmember Williams seconded.

Dr. Oubre presented this item and stated that we will have to revise Ordinance 22-06 from its original language proposing the annual budget reflecting the 0.4300 and proposed it as the No-New-Revenue tax rate at 0.417174 that will begin October 1, 2022 and runs through September 30, 2023. Dr. Oubre also stated that Sanitation was moved out of the General Fund Expenditures as Council asked at the last meeting and placed it in the Enterprise Fund.

Questions were asked and answered and there was a lengthy discussion.

The following citizens commented on this item:

Marvin Goebel, 14009 Horseshoe Circle
Dwain Moss, 802 Forest Oaks

Councilmember Russell moved to adopt Ordinance 22-06, adopting the 2022/2023 annual budget with a tax rate of 0.3900 and cut should come out of surplus and reserves. There was no second, motion did not carry.

Councilmember Qourzal moved to adopt Ordinance 22-06, adopting the City of Woodway 2022/2023 annual budget reflecting the No-New-Revenue tax rate of 0.417174. Councilmember Cook seconded,

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Mayor Qourzal read aloud the caption of the ordinance as required. Voting in favor: Mayor Qourzal, Councilmember Cook, Councilmember Avant, Councilmember Gilman and Councilmember Williams. Voting against: Councilmember Russell. The motion passed by a majority of the Councilmembers present by a five to one vote.

B. DISCUSSION AND CONSIDER ACTION ON RATIFICATION OF THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE BUDGET

No action taken since the budget was adopted reflecting the No-New-Revenue tax rate

4. PUBLIC HEARING ON PROPOSED 2022 AD VALOREM TAX RATE

Mayor Qourzal asked the City Manager for any comments before opening the public hearing. Dr. Oubre provided that the public hearing is still necessary due to the notice that was published although Council is now setting the tax rate at the No-New-Revenue tax rate.

Mayor Qourzal opened the public hearing on the 2022 proposed ad valorem tax rate of .4300 per \$100.00 of appraised property value and the following citizen commented on the proposed tax rate:

- Jacob Rucker, 319 Sharron, Woodway

With no one else present to speak in favor of or in opposition to the proposed rate, Mayor Qourzal closed the public hearing.

5. DISCUSSION AND CONSIDER ACTION ON ORDINANCE 22-07, ADOPTING THE 2022 AD VALOREM TAX RATE

Mayor Qourzal called for a motion to discuss. Councilmember Russell moved to open this item for discussion and Councilmember Williams seconded.

Dr. Oubre provided that this will have to be updated to reflect the No-New-Revenue tax rate. The No-New-Revenue tax rate is 0.417174, and of that the Maintenance and Operations is 0.395554 and the Interest and Sinking fund raises 0.021620.

Councilmember Williams moved to adopt Ordinance 22-07 adopting the 2022 Ad Valorem tax rate of 0.417174, which is effectively a zero percent increase in the tax rate. Councilmember Avant seconded, Mayor Qourzal read aloud the caption of the ordinance as required. Voting in favor: Mayor Qourzal, Councilmember Cook, Councilmember Avant, Councilmember Gilman and Councilmember Williams. Voting against: Councilmember Russell. The motion passed by a majority of the Councilmembers present by a five to one vote.

6. DISCUSSION AND CONSIDER ACTION ON ORDINANCE 22-08, AMENDING CHAPTER 2, ADMINISTRATION, SECTION 2-5, CLASSIFICATION AND COMPENSATION PLAN

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ADOPTED, OF THE CITY OF WOODWAY CODE OF ORDINANCES

Mayor Qourzal called for a motion to discuss. Councilmember Russell moved to open this item for discussion and Councilmember Gilman seconded.

Dr. Oubre provided that this is revised each year. It is based on a salary survey we do with similar cities throughout the state. It also reflects the current cost of living adjustment as well as adjusting more specific jobs, such as dispatchers, plan reviewer and inspections department.

The following citizen commented on this item:

Linda McGregor, 407 Shadow Mountain

Councilmember Russell moved to adopt Ordinance 22-08, amending Chapter 2, Administration, Section 2-5, Classification and Compensation Plan Adopted, of the City of Woodway Code of Ordinances. Councilmember Gilman seconded, Mayor Qourzal read aloud the caption of the ordinance as required, and the motion passed unanimously by the Councilmembers present.

7. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-22-16, AMENDING THE CITY OF WOODWAY MASTER FEE SCHEDULE

Mayor Qourzal called for a motion to discuss. Councilmember Russell moved to open this item for discussion and Councilmember Cook seconded.

Dr. Oubre provided this is another annual review by staff during the budget process.

Councilmember Cook moved to adopt Resolution R-22-16, amending the City of Woodway Master Fee Schedule. Councilmember Gilman seconded, and the motion passed unanimously by the Councilmembers present.

ITEMS FOR INDIVIDUAL DISCUSSION, CONSIDERATION AND/OR ACTION

8. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROGRAM PROJECT AGREEMENT UNDER THE CITY OF WOODWAY'S ADOPTED CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM BETWEEN SOCII CAPITAL, LLC AND THE CITY OF WOODWAY

Mayor Qourzal called for a motion to discuss. Councilmember Russell moved to open this item for discussion and Councilmember Cook seconded.

Dr. Oubre stated this was discussed in a prior Executive Session and you advised staff to formalize an agreement with the property owner. This is a 380 Economic Program with the Socii Group and the

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project is the one under construction on Jordan Lane, between the PNC Bank and the Premier ER.

The following citizen commented on this item:

Dwain Moss – 802 Forest Oaks, Woodway

Councilmember Russell moved that Council authorize the City Manager to execute the Program Project Agreement under the City of Woodway's adopted Chapter 380 Economic Development Program between Socii Capital, LLC, and the City of Woodway. Councilmember Cook seconded and the motion passed unanimously by the Councilmembers present.

9. DISCUSSION AND CONSIDER ACTION ON ORDINANCE 22-09, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS AND REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES

Mayor Qourzal called for a motion to discuss. Councilmember Russell moved to open this item for discussion and Councilmember Cook seconded.

Dr. Oubre provided that a few months ago, Council agreed to suspend the date of the proposed rate changes so that the parties could come together and negotiate the GRIP filing.

There was a brief discussion.

Councilmember Russell moved to adopt Ordinance 22-09, approving a negotiated settlement between the ATMOS Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2022 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by attachment establishing a benchmark for pensions and retiree medical benefits and requiring the company to reimburse ACSC's reasonable ratemaking expenses. Councilmember Williams seconded, Mayor Qourzal read aloud the caption of the ordinance as required, and the motion passed unanimously by the Councilmembers present.

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CONSENT AGENDA

10. A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE BUDGET WORK SESSION HELD AUGUST 8, 2022 AT 2:00 P.M.
- B. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 8, 2022 AT 5:30 P.M.
- C. DISCUSSION AND CONSIDER ACTION ON SELECTION OF GRANT MANAGER CONSULTANT SERVICES TO PROVIDE A RANGE OF MANAGEMENT AND ADMINISTRATIVE SERVICES FOR THE INFRASTRUCTURE INVESTMENT AND JOBS ACT FUNDING FOR THE CITY

Dr. Oubre provided comments on item 10C.

11. DISCUSSION AND CONSIDER ACTION ON CONSENT AGENDA

Councilmember Russell moved the Consent Agenda be approved as follows:

- A. Approve the minutes of the Budget Work Session held August 8, 2022, at 2:00 p.m.
- B. Approve the minutes of the regular City Council meeting held August 8, 2022, at 5:30 p.m.
- C. Authorize the City Manager to select a Grant Manager Consultant to provide a range of management and administrative services for the Infrastructure Investment and Jobs Act funding for the City

Councilmember Gilman seconded the motion, and the motion passed unanimously by the councilmembers present.

VISITORS

12. HEAR VISITORS

No visitors came forward to speak at this time.

CITY MANAGER AND CITY COUNCIL REPORTS

13. CITY MANAGER'S REPORT

Dr. Oubre provided that the offices will be closed on September 5th in Observance of the Labor Day

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holiday

14. CITY COUNCIL REPORTS

Councilmember Avant provided information on an item he would like on a future council agenda regarding supporting passenger rail service through Waco.

CLOSING ITEMS

15. CONSIDER ACTION ON ADJOURNMENT

Councilmember Russell moved to adjourn the meeting. Councilmember Avant seconded the motion, and the motion passed unanimously by the councilmembers present. The meeting adjourned at 7:04 p.m.

Donna Barkley, City Secretary

Amine Qourzal, Mayor